

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAROL BAMONTE, *as Administrator of the
Estate of KATHLEEN DURST*; and JAMES
MCCORMACK, VIRGINIA MCKEON, and
MARY HUGHES, *as Co-Administrators of the
Estate of ANNE C. MCCORMACK, a Distributee
of the Estate of KATHLEEN DURST*,

Plaintiffs,

v.

DEBRAH LEE CHARATAN, *at the Nominated
Executor of the Estate of ROBERT DURST*,

Defendant.

No. 22-CV-795 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

The Court requests that the Parties each file a letter on the docket by 4:00 p.m. Friday,
May 6, 2022, with a detailed explanation of the following topics:

- Federal courts' so-called probate exception, *see generally Marshall v. Marshall*, 547 U.S. 293 (2006); *Lefkowitz v. Bank of New York*, 528 F.3d 102 (2d Cir. 2007), and its application to Orders of Attachment under New York C.P.L.R. § 6201; and,
- The distinction between an estate administrator's citizenship for purposes of diversity jurisdiction, *see* 28 U.S.C. § 1332 (c)(2), an individual's domiciliary in her individual capacity, and the same individual's domiciliary in her capacity as an estate's executor, assuming her successful nomination.

The letters may not exceed 4 pages. Letters exceeding this limit or posted after 4:00
p.m. Friday, will not be considered.

SO ORDERED.

Dated: May 3, 2022
White Plains, New York



KENNETH M. KARAS
United States District Judge